

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application.

Listing of Claims

1. (Currently Amended) A method for collecting and packaging of fresh cut produce comprising:
machine harvesting a plurality of fresh produce,
placing said plurality of fresh produce into a shelf stable processing stream,
diverting a visually selected portion of said plurality of fresh produce from said shelf stable processing stream into a fresh cut produce process, said fresh cut produce process being separate from said shelf stable process but consolidated within a common processing facility,
cutting said diverted select portion of said fresh produce and
depositing said cut diverted select portion of said fresh produce into one or more containers.
2. (Currently Amended) The method according to claim 1 wherein said cutting ~~diverting~~ further comprises;
removing one or more undesirable sections from said diverted select portion of said fresh produce, and
reintroducing at least some of said removed one or more undesirable sections ~~or at least a portion of any juices generated by said removing of one or more undesirable sections~~ into said shelf stable processing stream.
3. (Original) The method according to claim 1 wherein said plurality of fresh produce comprises tomatoes, bell peppers, apples, oranges, pears, peaches, apricots, beets, strawberries, plums, nectarines, melons, papayas, onions or guavas.

4. ~~(Cancelled) The method according to claim 1 wherein determination of which of said plurality of fresh produce is diverted diverting is based at least in part on one or more visual characteristics.~~
5. (Currently Amended) The method according to claim [4] 1 wherein said one or more visual characteristics includes color, ripeness, size, damage, defects, tenderness, juiciness or aesthetic appeal.
6. (Original) The method according to claim 2 wherein said one or more undesirable sections includes a top, an end, or juices removed from at least one member of said select portion of said plurality of fresh produce.
7. (Original) The method according to claim 1 wherein said one or more containers includes one or more modified atmosphere packages.

8. (Currently Amended) A method for collecting and packaging of fresh cut produce comprising the steps of:
machine harvesting a plurality of fresh produce,
placing said plurality of fresh produce into a shelf stable processing stream,
consolidating a fresh cut produce process with said shelf stable process in a common facility,
diverting a visually selected portion of said plurality of fresh produce into said fresh cut produce process based ~~at least in part~~ on one or more visual characteristics [,]
into said fresh cut produce process,
removing one or more undesirable sections from said diverted select portion of said fresh cut produce,
reintroducing at least some of said removed undesirable sections into said shelf stable processing stream,
cutting said diverted select portion of said fresh produce, and
depositing said cut diverted select portion of said fresh cut produce into one or more containers.
9. (Currently Amended) The method according to claim 8 wherein said plurality of fresh produce is machine harvested ~~comprises~~ tomatoes.
10. (Currently Amended) The method according to claim 8 wherein said one or more visual characteristics is selected from the group consisting essentially of; includes color, ripeness, size, damage, tenderness, defects, juiciness, ~~or~~ aesthetic appeal and any combination thereof.
11. (Currently Amended) The method according to claim 8 wherein said one or more undesirable sections is selected from the group consisting essentially of; includes ~~at least a plurality of~~ tops, ends, ~~or~~ juices and any combination thereof removed from said diverted select portion of said fresh produce.

12. (Original) The method according to claim 8 wherein said one or more packages includes one or more modified atmosphere packages.
13. (Original) The method according to claim 12 wherein said one or more modified atmosphere containers includes a transparent lid or a transparent bag.
14. (Currently Amended) A method for collecting and packaging of fresh cut tomatoes comprising:
 - machine harvesting a plurality of fresh tomatoes,
 - placing said plurality of fresh produce into a shelf stable processing stream,
 - consolidating a fresh cut produce process with said shelf stable process,
 - diverting a visually selected portion of said plurality of fresh tomatoes into said fresh cut produce process,
 - cutting said diverted select portion of said fresh tomatoes, and
 - depositing said cut diverted select portion of said fresh tomatoes into one or more modified atmosphere packages.
15. (Currently Amended) The method according to claim 14 wherein said ~~diverting~~ cutting further comprises;
 - removing one or more undesirable sections from said visually selected portion of said plurality of fresh tomatoes, and
 - reintroducing at least some of said removed undesirable sections into said shelf stable processing stream.
16. (Original) The method according to claim 15 wherein said one or more undesirable sections comprises a plurality of tops, ends or juices removed from said diverted select portion of said fresh tomatoes.
17. (Original) The method according to claim 14 wherein said one or more modified atmosphere packages incorporates a transparent lid or a transparent bag.

18. (Currently Amended) The method according to claim 14 wherein said diverted visually selected ~~portion select portion~~ of said fresh tomatoes is diverted based ~~at~~ least in part on one or more visual characteristics of said plurality of fresh tomatoes.
19. (Currently Amended) The method according to claim 18 wherein said one or more visually ~~observable~~ characteristics includes color, ripeness, tenderness, size, damage, defects, juiciness or aesthetic appeal.
20. (New) The method according to claim 14 wherein said fresh cut produce process and said shelf stable process are consolidated into a common facility.